

Appl. No. : 09/909,194
Filed : July 19, 2001

REMARKS

In response to the Final Office Action mailed on March 8, 2007, Applicants respectfully request reconsideration of the application. Prior to the entry of the foregoing amendments Claims 1-6, 8-13, 15 and 19 were pending in the present application. This amendment amends Claims 1, 4, 8, and 19 and adds new claims 24-27. Thus, after entry of this amendment, Claims 1-6, 8-13, 15, 19, and 24-27 are pending and presented for examination.

Applicants respectfully disagree with the Examiner's rejections. However, in order to expedite prosecution, Applicants have amended the claims to more clearly define over the prior art. Specifically, Claim 1 has been amended to recite that the transaction module is configured to select at least one of the user accounts. The system automates the selection of the user account based on rules set up by the user that govern which accounts could be used to pay for various transactions. The rules can be set up based upon criteria, such as, for example, date of transaction, amount of transaction, merchant, and so forth. Current Application, paragraph [0025]. This automation results in convenience for the user because the user would not need to review each user account, compare each to the promotion presented to the user, and choose a user account for every transaction. Thus, the Examiner's claim that because Hoffman teaches that the account is selected by the user, "it would have been obvious *for the user* to make the selection based in part on the promotion" is incorrect. As recited in Claim 1, it is the system that makes the selection not the user. Furthermore, neither Hoffman, nor Mayer teach that the selection of the user account is based at least in part on rules set up by the user that govern which account should be used to pay for various transactions.

Claim 8 has also been amended to recite that the "user account" is a payment account (e.g., a credit card account, debit account, loyalty (points) programs, affinity (points) programs, and the like). Current Application, paragraph [006]. Mayer does not disclose matching at least one of the promotions to at least one of the users based upon a portion of the plurality of user information *and the user payment account information*. The portions of Mayer cited by the Examiner for teaching a user account information relate to a user's purchase history and not the user's payment account information. A user's purchase history does not include information about the user's payment accounts that are configured to transfer funds in a transaction. Accordingly, Applicants believe that all of the pending claims, as amended, are allowable, and respectfully request that the Examiner pass them to allowance.

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Conclusion


If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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